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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/669,056	06/24/96	NACHMAN	B INFINITY-3.0

LM32/1231
LOUIS WEINSTEIN
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PHILADELPHIA PA 19106

EXAMINER
LEE, C

ART UNIT	PAPER NUMBER
2722	9

DATE MAILED: 12/31/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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APPLICATION NUMBER 887059, 056 FILING DATE 11/24/96 INVENTOR NACHMAN ATTY. DOCKET NO. INFINITY-3.0

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DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 9-23-97
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-26 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 1-12, 15, 16, and 18-26 is/are allowed.
- ☒ Claim(s) 13, 14 and 17 is/are rejected.
- ☒ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

-SEE OFFICE ACTION ON THE FOLLOWING PAGES-

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1. New claim 17 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

In claim 17, the term "said printed wiring board arrangement" lacks antecedent basis. The basis for this term is set forth in claim 16, but claim 17 does not depend upon claim 16.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkins (U.S. 5,452,106).

Regarding claims 13 and 14, Perkins discloses a system and method of a computer using a facsimile machine as a scanner or a printer. When used as scanner, the facsimile machine (1) communicates scanned image data to the computer (2) through facsimile device (3). When used as a printer, the computer (2) communicates data to the facsimile machine (1) through the device (3). The computer (2) alone with a fax board, or the combination of computer (2) and facsimile device (3), is conditioned to receive scanned document image or to transmit image signals to be printed and thus reads on the claimed computer conditioned to received and transmit document image signals.

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4. Claims 1-12, 15, 16, and 18-26 are allowed.

5. New claim 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action, i.e., if amended to depend upon claim 16.

6. The following is an examiner's statement of reasons for allowance:

A terminal disclaimer has been filed and approved, which overcomes the double patenting rejection of claims 1, 2 and 8-12 (In re Schneller, see previous Office action, rejection with U.S. Patent No. 5,530,558). New claims 15, 16, and 18-26 depend upon claim 1, either directly or indirectly, and are allowable for the same reason as that given for claim 1.

Claim 3 has been amended to overcome the double patenting rejection under 35 U.S.C. 101. The filing of the terminal disclaimer eliminates a potential obviousness-type or non-obviousness-type double patenting rejection of claim 3.

The obviousness-type double patenting rejection of claims 4-7 has been overcome by the filing of the terminal disclaimer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan at telephone number (703) 305-4867.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231


or faxed to:

(703) 308-9051 (for formal communications intended for entry)


(703) 308-5397 (for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)


C. L.

December 18, 1997


EDWARD L. COLES, SR.
SUPERVISORY PATENT EXAMINER
GROUP 2600